

CITY OF MADISON, WISCONSIN

A SUBSTITUTE ORDINANCE _____

creating Section 15.01(542) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to 3rd Aldermanic District the Milwaukee Street - Starkweather Square annexation and assigning a temporary zoning classification of A Agriculture District, and repealing and recreating Section 1 5.02(5) of the Madison General Ordinances to add the annexed property to Ward 5.

Drafted by: Katherine C. Noonan
Assistant City Attorney

Date: January 25, 2005

Fiscal Note: Payment of an estimated \$1,880 for five years to Town of Blooming Grove in an amount equal to town levy on territory for year 2005.

SPONSORS: Mayor Cieslewicz (At the Request of the Plan Commission)

PRESENTED January 4, 2005 TITLE ONLY

REFERRED Plan Commission; 2-1-05

Council Meeting

REREFERRED _____

REPORTED BACK _____

ADOPTED _____ POF _____

RULES SUSP. _____ Tabled _____

PUBLIC HEARING P.C. 1-24-05

C.C. 2-1-05

* * * *

MAYOR SIGNED _____

PUBLISHED _____

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APPROVAL OF FISCAL NOTE IS NEEDED
BY THE COMPTROLLER'S OFFICE
Approved By

Comptroller's Office

* * * *

ORDINANCE NUMBER _____

ID NUMBER 00107

An ordinance to create Subsection (542) of Section 15.01 of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards."

WHEREAS, a petition with scale map attached was filed with the City Clerk of Madison on December 23, 2004, and the Clerk of the Town of Blooming Grove on December 23, 2004, and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on December 29, 2004, and has been presented to the City Common Council requesting annexation of the below-described territory to the City of Madison from the Town of Blooming Grove; said petition having been signed by the owners of all of the real property within the territory, and all 2 electors residing within the territory, which lies contiguous to the City of Madison; and

WHEREAS, pursuant to Sec. 28.04(7), Madison General Ordinances, the annexed territory is declared to be in the A Agriculture District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of January 24, 2005, and adoption of the said annexation and zoning were recommended; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, and the determination of the Department of Commerce, Municipal Boundary Review Section, State of Wisconsin, that the below described annexation has been reviewed and found to be in the public interest, having been reviewed, the Common Council now accepts the petition as sufficient and determines that the said annexation proceeding meets the requirements of the Wisconsin Statutes;

Approved as to form:

Michael P. May, City Attorney

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

1. Subsection (542) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(542) - There is hereby annexed to the 3rd Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property; and pursuant to the provisions of Sec. 28.04(7), Madison General Ordinances, and in accordance with the recommendation of the Plan Commission of the City of Madison, Dane County, Wisconsin, the territory annexed by this ordinance is hereby assigned a temporary zoning classification of A Agriculture District:

Unplatted lands located in the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 02, T07N, R10E, in the Town of Blooming Grove, Dane County, Wisconsin, also all of parcels known as "Parcel A" and "Parcel H" and part of "Parcel B", "Parcel C", and "Parcel G", of the unrecorded plat of Rustic Acres as prepared by George A. Weir, dated April 09, 1973, said parcels being described in Land Division Document recorded in Volume 429 of Records on Pages 227-229, as Document Number 1360791, Dane County Registry, also a part of Rustic Drive right-of-way as presently located, (2004), said Rustic Drive right-of-way also being described in Land Division Document recorded in Volume 429 of Records on Pages 227-229, as Document Number 1360791, Dane County Registry, said description more fully described as follows:

Beginning at the southeast corner of Lot 2, Certified Survey Map Number 814, as recorded in Volume 4 of Certified Survey Maps, on Pages 27-28, as Document Number 1325022, Dane County Registry, said point also lying on the east line of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of said Section 02; thence S00°05'28"E along the easterly line of said Certified Survey Map Number 814 and along said east line of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 02, 542.89 feet more or less, to the southwest corner of aforementioned "Parcel H"; thence N60°40'45"E, along the south line of said "Parcel H", 382.93 feet more or less, to the westerly right-of-way line of aforementioned Rustic Drive; thence continuing N60°40'45"E, along the northeasterly extension of said south line of "Parcel H", 37.70 feet more or less, to the centerline of said Rustic Drive and a point of non-tangential curvature; thence southerly 102.11 feet along said centerline and the arc of a curve to the left, through a central angle of 02°30'59", a radius of 2325.00 feet, and a chord bearing S01°26'55"E, 102.10 feet more or less, to a point of intersection with the southerly line of lands as described in Warranty Deed recorded as Document Number 3891047, Dane County Registry; thence along the southerly boundary line of lands as described in said Warranty Deed and its westerly extension thereof for the next three (3) courses; 1) thence N73°08'50"E, 247.65 feet to a point of curvature; 2) thence southeasterly 162.98 feet along the arc of a curve to the right, through a central angle of 62°15'13", a radius of 150.00 feet, and a chord bearing S75°43'30"E, 155.08 feet; 3) thence S44°35'50"E, 143.87 feet to a point on the westerly line of lands as described in Award of Compensation Document, as recorded in Document Number 3899102, Dane County Registry; thence S39°01'30"E, along the westerly line of lands as described in said Award of Compensation Document, 177.28 feet to the northwest corner of lands as described in Warranty Deed recorded as Document Number 3917768, Dane County Registry; thence along the boundary line of lands as described in said Warranty Deed for the next six (6) courses; 1) thence S31°04'33"E, 230.34 feet; 2) thence S38°53'13"E, 271.19 feet; 3) thence N89°32'17"E, 38.61 feet more or less, to the westerly right-of-way line of Sprecher Road; 4) thence N00°28'17"W, along said westerly right-of-way line 112.26 feet more or less; 4) thence N38°53'13"W, 200.40 feet more or less; 5) thence N31°04'33"W, 165.85 feet more or less, to the northeast corner of lands as described in aforementioned Warranty Deed, said point also being the southeast corner of lands as described in aforementioned Award of Compensation Document; thence along the easterly boundary line of lands as described in said Award of Compensation Document for the next four (4) courses; 1) thence continuing N31°04'33"W, 64.61 feet; 2) thence N39°01'30"W, 188.99 feet; 3) thence N44°35'50"W, 106.18 feet; 4) thence N00°27'43"W, 178.62 feet more or less, to the northeast corner of lands as described in aforementioned Award of Compensation Document, said point also being the southeast corner of aforementioned "Parcel A", said point also being the southeast corner of lands described in Warranty Deed recorded as Document Number 3834683, Dane County Registry; thence continuing N00°27'43"W, along the easterly line of said "Parcel A" and the easterly line of lands described in said Warranty Deed, 433.77 feet more or less, to the northeast corner of lands as described in said Warranty Deed and a point on the southerly right-of-way line of Milwaukee Street; thence S87°19'36"W, along said southerly right-of-way line, 852.58 feet more or less, to the northeast corner of aforementioned Lot 2 of Certified Survey Map Number 814, said point also lying on the aforementioned east line of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 02; thence S00°05'28"W, along the easterly line of said Lot 2 and said east line of the Northwest Quarter (1/4) of the Southeast

Quarter (1/4) of Section 02, 207.01 feet, more or less, to the southeast corner of said Lot 2 and the point of beginning. This description contains 625,031 square feet or 14.3487 acres."

2. Subsection (5) entitled "Ward 5" of 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is hereby amended to read as follows:

"(5) Ward 5. Beginning at a point in the limits line of the City of Madison, said point being the point of intersection of the North line of Section 2, T7N, R10E, Town of Blooming Grove, Dane County, Wisconsin (also the centerline of County Trunk Highway "T") and the centerline of Interstate Highway 90; thence Southerly along the centerline of Interstate Highway 90 to the centerline of Cottage Grove Road (County Trunk Highway "BB"); thence Easterly along the centerline of Cottage Grove Road to the point of intersection with the Southerly prolongation of the East line of Lot 1, McClellan Estates Plat; thence Northerly along said Southerly prolongation and the East line of Lot 1, said McClellan Estates Plat and the Northerly prolongation of the East line of said Lot 1, to the centerline of Kilpatrick Lane; thence Easterly along the centerline of Kilpatrick Lane to the point of intersection with the Northerly prolongation of the West line of Lot 31, Covered Bridge Plat; City of Madison, Dane County, Wisconsin; thence Southerly on said Northerly prolongation and the West line of Lot 31, said covered Bridge Plat and the Southerly prolongation of the West line of said Lot 31 to the South line of Cottage Grove Road (County Trunk Highway BB), which is 45.00 feet South of and measured at right angles from the East-West 1/4 line of Section 11, T7N, R10E; thence Easterly, parallel with said East-West 1/4 line, 334.04 feet to the center line of that part of Sprecher Road lying south of said East-West 1/4 line; thence Northerly, along said center line, 45.02 feet to a point on said East-West 1/4 line; thence Easterly along said East-West 1/4 line, 33.02 feet to the East 1/4 corner of Section 11, Township 7 North, Range 10 East; thence N87°36'14"E, along an Easterly extension of said East-West 1/4 line, 33.01 feet to a point of intersection with the East right-of-way line of that part of Sprecher Road lying north of said East-West 1/4 line; thence Northerly along said East right-of-way line, parallel with the East line of Section 11, 2,450 feet, more or less, to a point which is 208.80 feet South of, measured at right angles from, the North line of said Section 11; thence Westerly parallel with the North line of said Section 11, 33 feet, more or less, to a point on the East line of the Northeast 1/4 of Section 11; thence N00°52'52"W, along said East line, 198.80 feet; thence S87°21'03"W, parallel with and 10.00 feet South of, measured at right angles to, the North line of the Northeast 1/4 of said Section 11, 10.00 feet; thence N00°52'52"W, parallel with and 10.00 feet West of, measured at right angles to, the East line of the Northeast 1/4 of said Section 11, 10.00 feet to the North line of said Northeast 1/4; thence S87°21'03"W, along said North line, 198.80 feet to a point which is 208.80 feet West of, measured at right angles from, the East line of said Section 11; thence S87°20'34"W (previously noted as S87°21'03"W on City of Madison Master Control), 279.85 feet along the South line of Section 2, T7N, R10E, to a point which is 488.65 feet from the Southeast corner of said Section 2, as measured along said South line; thence N05°29'48"W, 546.15 feet to the Southerly right-of-way line of Rustic Drive as presently located (1997); thence Easterly along Southerly right-of-way line along the arc of a curve to the right having a radius of 1462 feet and long chord bearing and distance of N84°03'42"E, 278.56 feet to the point of tangency; thence continuing along said Southerly right-of-way line, N89°31'42"E, 226.29 feet to the West right-of-way line of Sprecher Road; thence N00°27'33"W, 33.00 feet along said West right-of-way line; thence S89°31'42"W along the centerline of Rustic Drive, 226.30 feet to a point of curvature; thence continuing along said centerline, Westerly along the arc of a curve to the left having a radius of 1495 feet and a long chord bearing and distance of S82°35'42"W, 360.94 feet to the point of tangency; thence continuing along said centerline, S75°39'42"W, 130.00 feet to a point of curvature; thence continuing along said centerline, Northwesterly along the arc of a curve to the right having a radius of 267.00 feet and a long chord bearing and distance of N39°44'43"W, 482.35 feet to the point of tangency; thence continuing along said centerline, N24°50'00"E, 144.00 feet to a point of curvature; thence continuing along said centerline, Northerly along an arc of a curve to the left having a radius of 922.00 feet and a long chord bearing and distance of N07°34'40"E, 547.00 feet to the point of tangency; thence continuing along said centerline, N09°40'40"W, 100.00 feet to a point of curvature; thence continuing along said centerline, Northerly along the arc of a curve to the right having a radius of 2325.00 feet and a long chord bearing and distance of N06°11'37"W, 282.82 feet, to a point of intersection with the southerly line of lands as described in Warranty Deed recorded as Document Number 3891047, Dane County Registry; thence along the southerly boundary line of lands as described in said Warranty Deed and its westerly extension thereof for the next three (3) courses; 1) thence N73°08'50"E, 247.65 feet to a point of curvature; 2) thence southeasterly 162.98 feet along the arc of a curve to the right, through a central angle of 62°15'13", a radius of 150.00 feet, and a chord bearing S75°43'30"E, 155.08 feet; 3) thence S44°35'50"E, 143.87 feet to a point on the westerly line of lands as described in Award of Compensation Document, as recorded in Document Number 3899102, Dane County Registry; thence S39°01'30"E, along the westerly line of lands as described in said Award of Compensation Document, 177.28 feet to the northwest corner of lands as described in Warranty Deed recorded as Document Number 3917768, Dane County Registry; thence along the boundary line of lands as described in said Warranty Deed for the next six (6) courses; 1) thence S31°04'33"E, 230.34 feet; 2) thence S38°53'13"E, 271.19 feet; 3) thence N89°32'17"E, 38.61 feet more or less, to the westerly right-of-way line

of Sprecher Road; 4) thence $N00^{\circ}28'17''W$, along said westerly right-of-way line 112.26 feet more or less; 4) thence $N38^{\circ}53'13''W$, 200.40 feet more or less; 5) thence $N31^{\circ}04'33''W$, 165.85 feet more or less, to the northeast corner of lands as described in aforementioned Warranty Deed, said point also being the southeast corner of lands as described in aforementioned Award of Compensation Document; thence along the easterly boundary line of lands as described in said Award of Compensation Document for the next four (4) courses; 1) thence continuing $N31^{\circ}04'33''W$, 64.61 feet; 2) thence $N39^{\circ}01'30''W$, 188.99 feet; 3) thence $N44^{\circ}35'50''W$, 106.18 feet; 4) thence $N00^{\circ}27'43''W$, 178.62 feet more or less, to the northeast corner of lands as described in aforementioned Award of Compensation Document, said point also being the southeast corner of aforementioned "Parcel A", said point also being the southeast corner of lands described in Warranty Deed recorded as Document Number 3834683, Dane County Registry; thence continuing $N00^{\circ}27'43''W$, along the easterly line of said "Parcel A" and the easterly line of lands described in said Warranty Deed, 433.77 feet more or less, to the northeast corner of lands as described in said Warranty Deed and a point on the southerly right-of-way line of Milwaukee Street; thence $S87^{\circ}19'36''W$, along said southerly right-of-way line, 852.58 feet more or less, to the northeast corner of aforementioned Lot 2 of Certified Survey Map Number 814, said point also lying on the aforementioned east line of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 02; thence $S00^{\circ}05'28''W$, along the easterly line of said Lot 2 and said east line of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 02, 207.01 feet, more or less, to the southeast corner of said Lot 2; thence $S87^{\circ}19'46''W$, along said South line, 200.00 feet to the Southwest corner thereof; thence $N00^{\circ}05'45''E$, 240.04 feet to the Northwest corner of said Lot 2, also being a point on the East-West 1/4 line of said Section 2; thence $N87^{\circ}19'46''E$, along said East-West 1/4 line, lying within the right-of-way of Milwaukee Street, 1520 feet, more or less, to the West 1/4 corner of Section 1; thence $S00^{\circ}27'33''E$, along the West line of the Southwest 1/4, 2,668.44 feet to the Southwest corner of said Section 1; thence $N89^{\circ}02'23''E$, along the South line of the Southwest 1/4 of said Section 1, 43.00 feet; thence $S00^{\circ}55'20''E$, parallel with and 43.00 feet East of, measured at right angles to, the West line of the Northwest 1/4 of Section 12, 723.59 feet; thence $N89^{\circ}54'45''E$, along the North line of Lot 2, Certified Survey Map Number 582, 167 feet more or less, to a point 90.00 feet West of perpendicular measure to the East line of said Lot 2; thence $S00^{\circ}53'15''E$, parallel to the East line of said Lot 2, 100.00 feet to a point on the South line of said Lot 2; thence $S89^{\circ}54'45''W$, along the South line of Lot 2, 167 feet more or less to a point which is 43.00 feet East of, measured at right angles to, the West line of the Northwest 1/4 of Section 12; thence $S00^{\circ}55'20''E$, parallel with and 43.00 feet East of, measured at right angles to, the West line of the Northwest 1/4 of Section 12, 696.84 feet to a point of curve; thence Southeasterly 153.95 feet along the arc of a 600.00 feet radius curve to the left whose long chord bears $S30^{\circ}03'43''E$, 153.53 feet; thence $S37^{\circ}24'45''E$, 628.44 feet to a point of curve; thence Southerly 453.56 feet along the arc of a 800.00 feet radius curve to the right whose long chord bears $S21^{\circ}10'14''E$, 447.51 feet, to the North right-of-way line of County Trunk Highway BB, also referred to as Cottage Grove Road, as presently located (1998); thence $N88^{\circ}26'56''E$, along said North right-of-way, 94.39 feet; thence $N00^{\circ}55'20''W$, parallel with the East line of the Southwest 1/4 of the Northwest 1/4 of Section 12-7-10, 275.59 feet; thence $N88^{\circ}26'56''E$, parallel with the centerline of said County Trunk Highway BB, 230.40 feet; thence $N00^{\circ}55'20''W$, parallel with the East line of the Southwest 1/4 of the Northwest 1/4 of Section 12-7-10, 622.30 feet; thence $N88^{\circ}26'56''E$, parallel with the centerline of said County Trunk Highway BB, 350.00 feet to a point on the East line of the Northwest 1/4 of the Northwest 1/4 which is 967.3 feet North of the intersection of said East line and the centerline of County Trunk Highway BB; thence $S00^{\circ}53'44''E$, along the East line of the Northwest 1/4 of the Northwest 1/4 of Section 12, T7N, R10E, 912.89 feet to the North right-of-way line of County Trunk Highway BB (Cottage Grove Road) as designated on Wisconsin Department of Transportation Plan No. S 1089(2); thence $N88^{\circ}26'26''E$, along said North right-of-way, 349.10 feet to a point of curve; thence Easterly along the arc of a curve to the left having a radius of 5,675.00 feet and a long chord which bears $N88^{\circ}07'36''E$, 62.21 feet to a point of tangent; thence $N85^{\circ}21'58''E$, along said North right-of-way, 198.06 feet; thence $N85^{\circ}40'50''E$, along said North right-of-way, 197.99 feet; thence $N85^{\circ}16'06''E$, along said North right-of-way, 198.35 feet; thence $N78^{\circ}21'24''E$, along said North right-of-way, 198.35 feet; thence $N74^{\circ}38'18''E$, along said North right-of-way, 126.40 feet to its point of intersection with the North-South 1/4 line of Section 12, T7N, R10E; thence $N00^{\circ}53'29''W$, along the East line of Lot 1, CSM 9067, 8 feet more or less to a point on the North right-of-way as presently located; thence Easterly along the present North right-of-way on the arc of a 5,655.00 feet radius curve to the left whose long chord bears $N76^{\circ}20'47''E$, 429.66 feet to the Southwest corner of CSM 4845; thence $N04^{\circ}29'00''E$, along the West line of said CSM 4845, 161.59 feet (previously recorded as 161.05 feet); thence $N85^{\circ}31'00''W$, along said West line, 47.00 feet; thence $N04^{\circ}29'00''E$, along said West line, 501.50 feet; thence $S89^{\circ}28'00''W$ (previously recorded as $S89^{\circ}29'00''W$) along said West line, 50.00 feet; thence $N00^{\circ}31'00''W$, along said West line, 1714.55 feet to a point which is $N88^{\circ}26'03''E$, 395.60 feet from the North 1/4 Corner of Section 12, T7N, R10E, as measured along the North line of the Northeast 1/4 of said Section 12; thence $N88^{\circ}25'58''E$, along the North line of the Northeast 1/4, 881.98 feet to the Easterly North-South sixteenth line; thence $S00^{\circ}30'21''E$ along the East line of Certified Survey Map No. 4845, 2174.03 feet to the centerline of County Highway "BB", (Cottage Grove Road) as presently located (1996); thence Northeasterly, along said centerline, 1,496 feet, more or less, to the East line of the Northeast 1/4 of Section 12, T7N, R10E; thence

N00°41'13"W, along said East line, 1,582.00 feet, more or less, to the Southeast corner of Section 1, T7N, R10E; thence N00°43'07"W, along the east line of the Southeast 1/4 of said Section 1, 1,985.00 feet, more or less, to the North line of the South 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 1; thence N00°45'52"W, 660.00 feet continuing along the section line to the East quarter corner of Section 1; thence N00°34'07"W, 777.01 feet; thence S87°51'21"W, 1320.50 feet; thence N00°34'06"W, 977.25 feet to the North right-of-way line of Interstate Highway 94, also being a point on a curve; thence Westerly along said North right-of-way line on a curve concave to the North, having a radius of 11,319.19 feet and a long chord which bears S81°25'58"W, 1060.32 feet; thence along said right-of-way line S80°44'45"W, 496.34 feet; thence Westerly along said right-of-way line on a curve concave to the North, having a radius of 11,359.19 feet and a long chord which bears S88°30'53"W, 752.24 feet; thence Northerly 170 feet, more or less, parallel with the North-South-1/4 line to a point which is 1,000.10 feet Southerly, on the same line, from the North line of said Section 1; thence Westerly, parallel with said North line, 717.50 feet; thence Northerly, parallel with the West line of the Northwest 1/4 of said Section 1; 964.50 feet to the North line of the Northwest 1/4 of said Section 1; thence N88°25'46"E, along said North line, 447.5 90 feet, more or less; thence N00°21'09"W, 71 feet, more or less, to the Northerly right-of-way line of County Trunk Highway T (also known as Commercial Avenue); thence easterly, along said Northerly right-of-way line, 328 feet, more or less, to the East line of the Southwest 1/4 of the Southwest 1/4 of Section 36, T8N, R10E; thence easterly, along said Northerly right-of-way line, 607 feet, more or less, to the point of intersection with the West line of Michigan-Wisconsin Pipe Line Company lands (Volume 1046, Page 359 of Records & Volume 756, Page 130 of Deeds); thence N01°32'42"W, along said West line, 144 feet, more or less, to the Northwest corner thereof; thence N88°27'18"E, along the North line of said lands, 75 feet more or less, to the Northeast corner thereof; thence S01°32'42"E, along the East line of said lands, 133 feet, more or less, to a point on the existing Northerly right-of-way line of County Trunk Highway T (also known as Commercial Avenue); thence N77°52'43"E, along said Northerly right-of-way line, 644 feet, more or less, to the point of intersection with the West line of the Southeast 1/4 of Section 36, T8N, R10E; thence Northerly along the West line of the Southeast 1/4 of said Section 36 and the West line of the Northeast 1/4 of said Section 36 to the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 36; thence N88°15'18"E, along the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 36, 1303 feet, more or less, to the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 36; thence N00°15'26"E, along the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 36, 1330 feet, more or less, to the North line of the Northeast 1/4 of Section 36; thence N88°15'17"E, along said North line, 1119 feet, more or less, to the Southwest corner of lands described in Document No. 2806507, Dane Co. Registry; thence N00°40'10"E, along the West line of said lands, 205 feet, more or less, to the Northwest corner thereof; thence N89°22'58"E, along the North line of said lands, 185 feet, more or less, to the East line of the Southeast 1/4 of Section 25, T8N, R10E; thence N00°40'10"E, along said East line, 422 feet, more or less, to the point of intersection with the centerline of Thorson Road; thence N18°55'55"W, along said centerline, 645 feet, more or less, to a point of curve; thence Northwesterly along the arc of a 279.60 feet radius curve to the left having a long chord bearing N29°37'58"W, 103.84 feet to a point of intersection with the North line of the Southeast 1/4 of the Southeast 1/4 of Section 25; thence S88°04'32"W, along said North line, 2340 feet, more or less, to a point on the West line of the Southeast 1/4 of Section 25; thence N00°39'20"E, along said West line, 1324 feet, more or less, to the Center of Section 25, T8N, R10E; thence S87°52'19"W, 1319.2 feet, more or less, along the South line of the Northwest 1/4 of said Section 25, to the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 25; thence N00°37'59"E, 1336 feet, more or less, along said East line, to the Northeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 25; thence S87°39'37"W, 1024 feet, more or less, along the North line of the Southwest Quarter of the Northwest Quarter of said Section 25, to the East line of C.S.M. 9850; thence S00°37'10"W, 305 feet, more or less, along the East line of C.S.M. 9850, to the South line of C.S.M. 9850; thence N89°22'50"W, 296 feet, more or less, along the South line of C.S.M. 9850 and the extension thereof, to the West line of the Southwest Quarter of the Northwest Quarter of said Section 25; thence S00°37'10"W, 224 feet, more or less, along the West line of the Southwest Quarter of the Northwest Quarter of said Section 25; to the North line of lands owned by Richard and Dorothy Dushack (Vol. 710, Page 295 of deeds and Vol. 12845, Page 92); thence S89°12'52"E, 292 feet, more or less, along the North line of said lands owned by Dushack, to the East line of said lands owned by Dushack; thence S00°37'10"W, 350 feet, more or less, along the East line of said lands owned by Dushack, and along the East line of lands owned by Frank and Ruth Orville (Doc. No. 2845748 & 2834952), to the South line of said lands owned by Orville; thence N89°12'52"W, 292 feet, more or less, along the South line of said lands owned by Orville, to the West line of the Southwest Quarter of the Northwest Quarter of said Section 25; thence S00°37'10"W, 118 feet, more or less, along the West line of the Southwest Quarter of the Northwest Quarter of said Section 25; to the North line of C.S.M. 1483; thence N87°52'19"E, 217.80 feet, more or less, along the North line of C.S.M. 1483, to the Northeast corner of said C.S.M. 1483; thence S00°37'10"W, 350 feet, more or less, along the East line of C.S.M. 1483, and along the East line of land owned by Ronald Klock (Vol. 344, page 279 of records) and along the East line of land owned by Leroy and Linda Dederich (Vol. 515, page 205 of records), to the South line of the Northwest quarter of said Section 25; thence S87°52'19"W, 217.80 feet, more or less, along

the South line of the Northwest quarter of said Section 25, to the West 1/4 Corner of said Section 25; thence S00°03'09"W, along the West line of the Southwest 1/4 of said Section 25, 2645 feet, more or less, to the Southwest corner thereof; thence S00°19'29"W, along the West line of the Northwest 1/4 of Section 36, T8N, R10E, 614.95 feet to the Northeast corner of C.S.M. 9866; thence S89°21'22"W, 1317.52 feet to the Northwest corner of C.S.M. 9866; thence S00°12'06"W, 563.02 feet to the Southwest corner of C.S.M. 9866; thence N89°21'22"E along the South line of Lot 2, C.S.M. 9866 and the extension of said South line, 592 feet, more or less, to the West line of C.S.M. 8175; thence N00°19'29"E along said west line, 94 feet, more or less, to the Northwest corner of C.S.M. 1875; thence N87°58'29"E along the North line of C.S.M. 8175, 686 feet, more or less, to the Westerly right-of-way of Reiner Road; thence S00°19'29"W along said right-of-way, 300 feet, more or less, to the South line of C.S.M. 8175; thence S87°58'29"W along the South line of C.S.M. 8175, 686 feet, more or less, to the Southwest corner of C.S.M. 8175; thence N00°19'29"E along the West line of C.S.M. 8175, 173 feet, more or less, to a line parallel with and 33.00 feet Southerly from, measured at right angles to, the South line of Lot 2, C.S.M. 9866; thence S89°21'22"W along said parallel line, 592 feet, more or less, to the West line of the East 1/2 of the Northeast 1/4 of Section 35, T8N, R10E; thence S00°12'06"W along said West line, 1441 feet, more or less, to the South line of the Northeast 1/4 of Section 35; thence S89°00'16"W, along the South line of the Northeast 1/4 of Section 35, 1312 feet, more or less, to the Center of said Section 35, also being the centerline of the Felland Road right-of-way; thence S00°26'04"W, along the West line of the Southeast 1/4, also being said right-of-way centerline, 1328 feet, more or less to the North line of the Southwest 1/4 of the Southeast 1/4; thence N89°20'18"E, along said North line, 290.4 feet, more or less; thence S00°34'14"W, parallel with the West line of the Southwest 1/4 of the Southeast 1/4 of said Section 35, 600 feet, more or less; thence S89°12'36"W, parallel with the North line of the Southwest 1/4 of the Southeast 1/4, 290.4 feet, more or less, to a point on the West line of the Southeast 1/4, also being centerline of Felland Road; thence S00°26'04"W, along said West line, 117 feet, more or less; thence N89°43'19"E, 454 feet, more or less to the Northwest corner of A & H Properties lands (Volume 2186 of Records, Page 27); thence N89°40'03"E, along the North line of said lands, 1156 feet, more or less, to the Northeast corner thereof; thence S00°15'58"E, 590 feet, more or less, to the South line of Section 35, T8N, R10E; thence N88°59'47"E, along said South line, 1010 feet, more or less to the Southwest corner of Section 36, T8N, R10E; thence S00°21'07"E, 477.5 feet, more or less along the East line of said Section 2, also being the centerline of Sprecher Road, to the point of intersection with the Easterly extension of the most Northerly line of Lot 3, C.S.M. 4493, as recorded in Volume 19 of Certified Surveys on Pages 224-226; thence S89°46'00"W, along said most Northerly line and Easterly extension thereof, 547 feet, more or less, to the East line of Lot 1, C.S.M. 4493; thence S00°42'00"E, along said East line, 185.24 feet to the Southeast corner of said Lot 1; thence S88°59'47"W, along the South line of said Lot 1, 338.24 feet to the Southwest corner thereof, also being the Southeast corner of Lot 1, C.S.M. 2080, as recorded in Volume 8 of Certified Surveys on Pages 270-271; thence continue S88°59'47"W, along the South line of Lot 1, C.S.M. 2080, 430.64 feet to the West line of the East 1/2 of the Northeast 1/4 of said Section 2; thence North on said East line, 655 feet, more or less, to the North line of said Section 2; thence West along the North line of said Section 2 to the point of beginning. Polling place at Kennedy Elementary School; 221 Meadowlark Drive. "

3. If any provisions of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

EDITOR'S NOTES:

1. Section 15.02(5) of the Madison General Ordinances currently reads as follows:

"(5) Ward 5. Beginning at a point in the limits line of the City of Madison, said point being the point of intersection of the North line of Section 2, T7N, R10E, Town of Blooming Grove, Dane County, Wisconsin (also the centerline of County Trunk Highway "T") and the centerline of Interstate Highway 90; thence Southerly along the centerline of Interstate Highway 90 to the centerline of Cottage Grove Road (County Trunk Highway "BB"); thence Easterly along the centerline of Cottage Grove Road to the point of intersection with the Southerly prolongation of the East line of Lot 1, McClellan Estates Plat, City of Madison, Dane County, Wisconsin; thence Northerly along said Southerly prolongation and the East line of Lot 1, said McClellan Estates Plat and the Northerly prolongation of the East line of said Lot 1, to the centerline of Kilpatrick Lane; thence Easterly along the centerline of Kilpatrick Lane to the point of

intersection with the Northerly prolongation of the West line of Lot 31, Covered Bridge Plat; City of Madison, Dane County, Wisconsin; thence Southerly on said Northerly prolongation and the West line of Lot 31, said covered Bridge Plat and the Southerly prolongation of the West line of said Lot 31 to the South line of Cottage Grove Road; thence Easterly along the South line of Cottage Grove Road to the West line of Sprecher Road and the limits line of the City of Madison; thence Easterly, Northerly, Westerly, Northerly, Westerly and Northerly along said limits line to the Southeast corner of Lot 2, Certified Survey Map 814; thence Westerly along the South line of said Lot 2 to the Southwest corner of said Lot 2; thence Northerly along the West line of said Lot 2 and the Northerly prolongation of the West line of said Lot 2 to the North line of the Southeast 1/4 of said Section 2 (also the centerline of Milwaukee Street); thence Easterly along the North line of the Southeast 1/4 of said Section 2 to the Northeast corner of the Southeast 1/4 of said Section 2; thence Southerly along the West line of said Section 2 to the Southeast corner of said Section 2 (also the limits line of the City of Madison); thence Easterly, Southerly and Easterly along said limits line to the Northwest corner of Lot 2, Certified Survey Map 582; thence Easterly along the North line of said Lot 2 to the Northeast corner of said Lot 2; thence Southerly along the East line of said Lot 2 to the Southeast corner of said Lot 2; thence Westerly along the South line of said Lot 2 to the Southwest corner of said Lot 2 (also the limits line of the City of Madison); thence Westerly, Southerly, and Southeasterly along said limits line to the point of intersection of the West line of South Sprecher Road and the North line of Cottage Grove Road; thence Easterly along the North line of Cottage Grove Road to the East line of Outlot 26, First Addition to Reston Heights Plat, City of Madison, Dane County, Wisconsin; thence Northerly, Easterly, Northerly and Easterly along the boundary line of said First Addition to Reston Heights Plat to the West line of the Door Creek Plat, City of Madison, Dane County, Wisconsin; thence Southerly along the West line of said Door Creek Plat and the West line of Lot 1, Certified Survey Map 8851 to the North line of Cottage Grove Road; thence Easterly along the North line of Cottage Grove Road to the East line of Harrington Drive (also the limits line of the City of Madison); thence Easterly, Northerly and Easterly along said limits line to the Northwest corner of the East 1/2 of the Northeast 1/4 of Section 12, T7N, R10E, Town of Blooming Grove, Dane County, Wisconsin; thence Southerly along the West line of the East 1/2 of the Northeast 1/4 of said Section 12 to the centerline of Cottage Grove Road; thence Northeasterly along the centerline of Cottage Grove Road to the East line of said Section 12; thence Northerly along the East line of said Section 12 and the East line of Section 1, T7N, R10E, Town of Blooming Grove, Dane County, Wisconsin to the North line of the South 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 1; thence N00°45'52"W, 660.00 feet; thence N00°34'07"W, 777.01 feet; thence S87°51'21"W, 1320.50 feet; thence N00°34'06"W, 997.25 feet to the North right-of-way line of Interstate Highway 94 to a point of curve; thence Southwesterly along said North right-of-way line on a curve to the right which has a radius of 11,319.19 feet and a chord which bears S81°25'58"W, 1060.32 feet; thence S80°44'45"W, 496.34 feet to a point of a curve; thence Southwesterly along said North right-of-way line on a curve to the right which has a radius of 11,359.19 feet and a chord which bears S88°30'53"W, 752.24 feet; thence S00°20'17"E to the Northeast corner of Lot 209, said Reston Heights Plat (also the limits line of the City of Madison); thence Westerly, Northerly, Westerly, Northerly and Easterly along said limits line to the point of intersection of the North line of County Trunk Highway "T" and the West line of the Southeast 1/4 of Section 36, T8N, R10E, Town of Burke, Dane County, Wisconsin; thence Northerly along the West line of the Southeast 1/4 of said Section 36 and the West line of the Northeast 1/4 of said Section 36 to the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 36; thence Easterly along the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 36 to the West line of the Northeast 1/4 of the Northeast 1/4 of said Section 36; thence Northerly along the West line of the Northeast 1/4 of the Northeast 1/4 of said Section 36 to the North line of said Section 36; thence Easterly along the North line of said Section 36 to a point, said point being 185 feet West of the Northeast corner of said Section 36, measured along the North line of said Section 36; thence Northerly 205 feet; thence Easterly 185 feet to the East line of Section 25, T8N, R10E, Town of Burke, Dane County, Wisconsin (also the centerline of Thorson Road); thence Northerly and Northwesterly along the centerline of Thorson Road to the North line of the South 1/2 of the Southeast 1/4 of said Section 25; thence Westerly along the North line of the South 1/2 of the Southeast 1/4 of said Section 25 to the West line of the Southeast 1/4 of said Section 25; thence Northerly along the West line of the Southeast 1/4 of said Section 25 to the North line of the Southwest 1/4 of said Section 25; thence Westerly along the North line of the Southwest 1/4 of said Section 25 to the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 25; thence Northerly along the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 25 to the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 25; thence Westerly along the North line of the Southwest 1/4 of the Northwest 1/4 of said Section 25 to the Northeast corner of Lot 2, Certified Survey Map 9850; thence Southerly along the East line of Lot 2 and the East line of Lot 1, said Certified Survey Map 9850 to the Southeast corner of Lot 1, said Certified Survey Map 9850; thence Westerly along the South line of said Lot 1, and the Westerly prolongation of the South

line of said Lot 1 to the centerline of Reiner Road (also the limits line of the City of Madison); thence Southerly, Easterly, Southerly, Westerly, Southerly and Easterly along said limits line to the Northwest corner of Lot 1, Certified Survey Map 1483; thence Easterly along the North line of said Lot 1 to the Northeast corner of said Lot 1; thence Southerly along the East line of said Lot 1 and the Southerly prolongation of the East line of said Lot 1 to the North line of the Southwest 1/4 of said Section 25; thence Westerly along the North line of the Southwest 1/4 of said Section 25 to the Northwest corner of the Southwest 1/4 of said Section 25; thence Southerly along the West line of said Section 25 (also the centerline of Reiner Road) to the Southwest corner of said Section 25 (also the limits line of the City of Madison); thence Southerly, Westerly, Southerly, Easterly, Southerly, Westerly and Southerly along said limits line to the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of Section 35, T8N, R10E, Town of Burke, Dane County, Wisconsin; thence Westerly along the North line of the Southeast 1/4 of said Section 35 to the Northwest corner of the Southeast 1/4 of said Section 35; thence Southerly along the West line of the Southeast 1/4 of said Section 35 (also the centerline of Felland Road) to the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section 35 (also the limits line of the City of Madison); thence Easterly, Southerly, Westerly, Southerly, Easterly, Southerly and Easterly along said limits line to the Southeast corner of said Section 35 (also the limits line of the City of Madison); thence Southerly, Westerly and Southerly along said limits line to the Southeast corner of Lot 1, Certified Survey Map 4493; thence Westerly along the South line of said Lot 1, and the South line of Lot 1, Certified Survey Map 2080 to the Southwest corner of Lot 1, said Certified Survey Map 2080; thence Northerly along the West line of Lot 1, Certified Survey Map 2080 and the Northerly prolongation of the West line of said Lot 1 to the North line of said Section 2; thence Westerly along the North line of said Section 2 to the point of beginning. Polling place at Kennedy Elementary School; 221 Meadowlark Drive."

2. Pursuant to Sec. 66.0217(8), Wis. Stats., this annexation ordinance must be enacted by a **two-thirds vote** of the elected members of the Common Council or at least 14 votes. A separate roll call vote is requested on the temporary zoning.

Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on _____.

Annexation vote:

Temporary Zoning vote:

Ayes: _____
Noes: _____

Ayes: _____
Noes: _____